

**BEFORE THE PLANNING COMMISSION FOR
THE CITY OF BEAVERTON, OREGON**

After recording return to:
City of Beaverton, City Recorder:
4755 SW Griffith Drive
P.O. Box 4755
Beaverton, OR 97076

IN THE MATTER OF A REQUEST FOR A
DESIGN REVIEW THREE APPROVAL FOR
THE REVIEW OF A NEW COMMERCIAL
DEVELOPMENT AND ASSOCIATED SITE
AND PARKING (TIMBERLAND COMMERCIAL
TOWN CENTER). TIMBERLAND TOWN
CENTER, LLC, APPLICANT.

) ORDER NO. 2318
) DR2013-0013 ORDER APPROVING WITH
) CONDITIONS.
)
)
)

The matter came before the Planning Commission on May 8, 2013, on a request for approval of a Design Review Three application for the review of a new commercial development and associated site and parking. The subject site is bound by NW Barnes Road, NW 118th Avenue, NW Cedar Falls Drive, and NW Lost Springs Terrace and is specifically identified as Tax Lot 1100 on Washington County Assessor's Map 1N1-34CC, respectively. The affected parcel is zoned Town Center-Multiple Use (TC-MU) and occupies approximately 7.4 acres in size.

Pursuant to Ordinance 2050 (Development Code), Sections 50.15.2 and Section 50.45, the Planning Commission conducted a public hearing and considered testimony and exhibits on the subject proposal.

Commissioner Nye commented that the western one third of the northern elevation of the anchor tenant building was lacking in articulation and recommended a

condition of approval that the applicant work with staff to increase the articulation of the northern elevation. Commissioner Doukas included the condition in her motion to approve the Design Review application.

The Planning Commission, after holding the public hearing and considering all oral and written testimony, adopts the Staff Report dated May 1, 2013, as applicable to the approval criteria contained in Section 40.20.15.3.C of the Development Code.

IT IS HEREBY ORDERED that DR2013-0013 is APPROVED based on the testimony, reports and exhibits presented during the public hearing on the matter and upon the background facts, findings, and conclusions found in the Staff Report dated May 1, 2013, subject to the following conditions:

A. General Conditions:

1. Approval of DR2013-0013 is subject to approval of LO2013-0001.
(Planning/JF)

B. Prior to issuance of the site development permit, the applicant shall:

2. Submit the required plans, application form, fee, and other items needed for a complete site development permit application per the applicable review checklist. (Site Development Div./JJD)
3. Contract with a professional engineer to design and monitor the construction for any work governed by Beaverton Municipal Code 9.05.020, as set forth in Ordinance 4417 (City Engineering Design Manual and Standard Drawings), Beaverton Development Code (Ordinance 2050, 4010 +rev.), the Clean Water Services District Design and Construction Standards (June 2007, Resolution and Ordinance 2007-020), and the City Standard Agreement to Construct and Retain Design Professionals in Oregon. (Site Development Div./JJD)
4. Submit a completed and executed City Standard Agreement to Construct Improvements and Retain Design Professional(s) Registered in Oregon. After the site development permit is issued, the City Engineer and the Planning Director must approve all revisions as set out in Ordinances 2050, 4010+rev., and 4417; however, any required land use action shall be final prior to City staff approval of the engineering plan revision and work commencing as revised. (Site Development Div./JJD)
5. Have the ownership of the subject property guarantee all public

- improvements, site grading, storm water management (quality and quantity) facilities, private streets, and common driveway paving by submittal of a City-approved security. The security approval by the City consists of a review by the City Attorney for form and the City Engineer for amount, equivalent to 100 percent or more of estimated construction costs. (Site Development Div./JJD)
6. Submit any required off-site easements, executed and ready for recording, to the City after approval by the City Engineer for legal description of the area encumbered and City Attorney as to form. (Site Development Div./JJD)
 7. Submit to the City a copy of issued permits or other approvals needed from Washington County for work within, and/or construction access to the Barnes Road right of way. (Site Development Div./JJD)
 8. Submit a copy of issued permits or other approvals needed from the Tualatin Valley Water District for public water system construction, backflow prevention facilities, and service extensions. (Site Development Div./JJD)
 9. Have obtained the Tualatin Valley Fire and Rescue District Fire Marshal's approval of the site development plans as part of the City's plan review process. (Site Development Div./JJD)
 10. Have obtained approvals needed from the Clean Water Services District for storm system connections as a part of the City's plan review process. (Site Development Div./JJD)
 11. Submit an approved action plan from the Oregon Department of Environmental Quality (DEQ) for the previously issued 1200-C General Permit (DEQ/CWS/City Erosion Control Joint Permit). The DEQ process is independent of a City plan revision approval. The applicant shall use the 2006 plan format per requirements adopted by DEQ and Clean Water Services and submit the DEQ-approved revised plans to the City. (For more information and to access the new format, see <http://www.deq.state.or.us/wq/stormwater/constappl.htm>) (Site Development Div./JJD)
 12. Submit to the City a certified impervious surface determination of the proposed project by the applicant's engineer, architect, or surveyor. The certification shall include an analysis and calculations of all impervious surfaces as a total on the affected sites. Specific types of impervious area totals, in square feet, shall be given for buildings, parking lots/driveways, sidewalk/pedestrian areas, storage areas, and any gravel surfaces. Calculations shall also indicate the square footage of pre-existing impervious surface, the new impervious surface area created, and total final impervious surface area for each affected property. (Site Development Div./JJD)
 13. Pay a storm water system development charges (overall system conveyance) for any net new impervious area proposed for the project. Additionally, the project shall pay a storm water quality and quantity in-lieu of fee for any impervious area required to provide treatment but determined by the City

Engineer as not to practical to provide treatment or to drain to a treatment facility as allowed under Clean Water Services standards. (Site Development Div./JJD)

14. Provide plans for street lights (Option C) and for the placement of underground utility lines along street frontages, within the site, and for services to the proposed new development. If existing utility poles along existing street frontages must be moved to accommodate the proposed improvements, the affected lines must be either undergrounded or a fee in lieu of undergrounding paid per Section 60.65 of the Development Code. (Site Development Div./JJD)
15. Submit a revised plan that shows the required minimum number, location, and design of short-term and long-term bicycle parking (Beaverton Development Code Section 60.30.10.5). (Transportation/LP)
16. Submit a plan detail that demonstrates compliance with the site distance and corner clearance standards of the Engineering Design Manual (Section 210.10). (Transportation/LP)
17. Fire Apparatus Access Road Distance From Building and Turnarounds: Access roads shall be within 150 feet of all portions of the exterior wall of the first story of the building as measured by an approved route around the exterior of the building. An approved turnaround is required if the remaining distance to an approved intersecting roadway, as measured along the fire apparatus access road, is greater than 150 feet. (OFC 503.1.1) This requirement is modified with the installation of fire sprinklers in all buildings. (TVF&R/JF)
18. Fire Apparatus Access Road Exception for Automatic Sprinkler Protection: When buildings are completely protected with an approved automatic fire sprinkler system, the requirements for fire apparatus access may be modified as approved by the fire code official. (OFC 503.1.1) All buildings must be provided with a fire sprinkler system as currently proposed. (TVF&R/JF)
19. Fire Apparatus Access Road Width and Vertical Clearance: Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (12 feet for up to two dwelling units and accessory buildings), and an unobstructed vertical clearance of not less than 13 feet 6 inches. Where fire apparatus roadways are less than 26 feet wide, "NO PARKING" signs shall be installed on both sides of the roadway and in turnarounds as needed. Where fire apparatus roadways are more than 26 feet wide but less than 32 feet wide, "NO PARKING" signs shall be installed on one side of the roadway and in turnarounds as needed. Where fire apparatus roadways are 32 feet wide or more, parking is not restricted. (OFC 503.2.) The fire district does not endorse the design concept wherein twenty feet of unobstructed roadway width is not provided. (TVF&R/JF)
20. Fire Apparatus Access Roads with Fire Hydrants: Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26

feet. (OFC D103.1) (TVF&R/JF)

21. No Parking Signs: Where fire apparatus roadways are not of sufficient width to accommodate parked vehicles and 20 feet of unobstructed driving surface, "No Parking" signs shall be installed on one or both sides of the roadway and in turnarounds as needed. Roads 26 feet wide or less shall be posted on both sides as a fire lane. Roads more than 26 feet wide to 32 feet wide shall be posted on one side as a fire lane. Signs shall read "NO PARKING - FIRE LANE" and shall be installed with a clear space above grade level of 7 feet. Signs shall be 12 inches wide by 18 inches high and shall have red letters on a white reflective background. (OFC D103.6) (TVF&R/JF)
22. Surface and Load Capacities: Fire apparatus access roads shall be of an all-weather surface that is easily distinguishable from the surrounding area and is capable of supporting not less than 12,500 pounds point load (wheel load) and 60,000 pounds live load (gross vehicle weight). You may need to provide documentation from a registered engineer that the design will be capable of supporting such loading. (OFC D102.1) (TVF&R/JF)
23. Turning Radius: The inside turning radius and outside turning radius shall be not less than 28 feet and 48 feet respectively, measured from the same center point. (OFC 503.2.4 & 103.3) (TVF&R/JF)
24. Painted Curbs: Where required, fire apparatus access roadway curbs shall be painted red and marked "NO PARKING FIRE LANE" at approved intervals. Lettering shall have a stroke of not less than one inch wide by six inches high. Lettering shall be white on red background. (OFC 503.3) (TVF&R/JF)
25. Commercial Buildings-Required Fire Flow: The required fire flow for the building shall not exceed 3,000 gallons per minute (GPM) or the available GPM in the water delivery system at 20 psi, whichever is less as calculated using IFC, Appendix B. A worksheet for calculating the required fire flow is available from the Fire Marshal's Office. (OFC B105.3) Please provide a current fire flow test of the nearest fire hydrant demonstrating available flow at 20 psi residual pressure as well as fire flow calculation worksheets. Please forward copies to both TVF&R as well as City of Beaverton Building Services. Fire flow calculation worksheets as well as instructions are available on our web site at www.tvfr.com. (TVF&R/JF)
26. Fire Hydrants-Commercial Buildings: Where a portion of the building is more than 400 feet from a hydrant on a fire apparatus access road, as measured in an approved route around the exterior of the building, on-site fire hydrants and mains shall be provided. This distance may be increased to 600 feet for buildings equipped throughout with an approved automatic sprinkler system. (OFC 507.5.1) (TVF&R/JF)
27. Fire Hydrant Number and Distribution: The minimum number and distribution of fire hydrants available to a building shall not be less than that listed in Appendix C, Table C 105.1. (TVF&R/JF)

Considerations for placing fire hydrants may be as follows:

- ☐ Existing hydrants in the area may be used to meet the required number of hydrants as approved. Hydrants that are up to 600 feet away from the nearest point of a subject building that is protected with fire sprinklers may contribute to the required number of hydrants.
- ☐ Hydrants that are separated from the subject building by railroad tracks shall not contribute to the required number of hydrants unless approved by the fire code official.
- ☐ Hydrants that are separated from the subject building by divided highways or freeways shall not contribute to the required number of hydrants. Heavily traveled collector streets only as approved by the fire code official.
- ☐ Hydrants that are accessible only by a bridge shall be acceptable to contribute to the required number of hydrants only if approved by the fire code official.

28. Private Fire Hydrants: To distinguish private fire hydrants from public fire hydrants, private fire hydrants shall be painted red. (OFC 507.2.1, NFPA 24 & 291) (TVF&R/JF)
29. Fire Hydrant Distance from an Access Road: Fire hydrants shall be located not more than 15 feet from an approved fire apparatus access roadway. (OFC C102.1) (TVF&R/JF)
30. Reflective Hydrant Markers: Fire hydrant locations shall be identified by the installation of reflective markers. The markers shall be blue. They shall be located adjacent and to the side of the centerline of the access road way that the fire hydrant is located on. In case that there is no center line, then assume a centerline, and place the reflectors accordingly. (OFC 510.1) (TVF&R/JF)
31. Physical Protection: Where fire hydrants are subject to impact by a motor vehicle, guard posts, bollards or other approved means of protection shall be provided. (OFC 507.5.6) (TVF&R/JF)
32. Clear Space Around Fire Hydrants: A 3 foot clear space shall be provided around the circumference of fire hydrants. (OFC 507.5.5) (TVF&R/JF)
33. Fire Hydrant/Fire Department Connection: A fire hydrant shall be located within 100 feet of a fire department connection (FDC). Fire hydrants and FDCs shall be located on the same side of the fire apparatus access roadway and or drive aisle. FDCs shall normally be remote except when approved by the fire code official. Fire sprinkler FDCs shall be plumbed to the fire sprinkler riser downstream of all control valves. Each FDC shall be equipped with a metal sign with 1 inch raised letters and shall read, "AUTOMATIC SPRINKLERS OR STANDPIPES" or a combination thereof as applicable. (OFC 912.2) Fire department connections must be remote from the building

and be along the designated fire lane. (TVF&R/JF)

34. Angle of Approach and Departure: The angles of approach and departure for fire apparatus roads shall not exceed 8 Degrees. (OFC 503.2.8, NFPA 1901) (TVF&R/JF)

35. All plan sheets shall be consistent with the site layout as shown on EX4.6 'Truck Movements Through Commercial Area' plan sheet. (Planning/JF)

C. Prior to building permit issuance, the applicant shall:

36. Submit a complete site development permit application and obtain the issuance of site development permit from the Site Development Division. (Site Development Div./JJD)

37. Make provisions for installation of all mandated erosion control measures to achieve City inspector approval at least 24 hours prior to call for foundation footing form inspection from the Building Division. (Site Development Div./JJD)

38. Pay a storm water system development charge (overall system conveyance) for the net new impervious area proposed. (Site Development Div./JJD)

39. The proposed project shall comply with the State of Oregon Building Code in effect as of date of application for the building permit. This currently includes the following: The 2009 edition of the International Building Code as published by the International Code Conference and amended by the State of Oregon (OSSC); The 2009 edition of the International Residential Code as published by the International Code Conference and amended by the State of Oregon (ORSC); 2009 International Mechanical Code as published by the International Code Council and amended by the State of Oregon (OMSC); the 2009 edition of the Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials and amended by the State of Oregon (OPSC); the 2011 edition of the National Electrical Code as published by the National Fire Protection Association and amended by the State of Oregon; and the 2009 International Fire Code as published by the International Code Council and amended by Tualatin Valley Fire and Rescue (IFC). (Building/BR)

40. The City offers phased permits, for foundation/slabs, structural frame, shell and interior build-out (TI). An applicant desiring to phase any portion of the project must complete the Tri-County Commercial Phased Project Matrix or each phased portion. This form is available at the Building Division counter or may be printed from the Forms/Fee Center at www.beavertonoregon.gov
Note: Except private site utilities (potable water, sanitary and storm sewer lines), Excavation and Shoring, Site Utilities and Grading are not permits issued by the Building Division and therefore are not part of the City's phased permit process. (Building/BR)

41. Plan submittals may be deferred as outlined in the Tri-County Deferred.

Submittals list. Each deferred submittal shall be identified on the building plans. This list is available at the Building Division counter or may be printed from the Forms/Fee Center at www.beavertonoregon.gov. Permit applicants are responsible for ensuring that deferred plan review items listed on the plans are submitted for approval well in advance of the need to begin work on that portion of the project (anticipate a minimum of three weeks plan review turnaround time for tenant improvement and six weeks plan review turnaround for new construction projects). No work on any of the deferred items shall begin prior to the plans being submitted, reviewed and approved. (Building/BR)

42. Unless they are identified as a deferred submittal on the plans, building permits will not be issued until all related plans and permits have been reviewed, approved, and issued (i.e., mechanical, plumbing, electrical, fire sprinkler systems, fire alarm systems, etc. (City policy) ☐ Projects involving new buildings and additions are subject to System Development fees. A list of the applicable fees is available at the Building Division counter or may be printed from the Forms/Fee Center at www.beavertonoregon.gov. (Building/BR)
43. The building code plans review can run concurrent with the Design Review (DR) and site development review. (Building/BR)
44. Addition of plumbing fixtures may require payment of sanitary sewer system development fees (credit is given to plumbing fixtures that are removed). (Building/BR)
45. Applications/plans for building permit/plan review can be submitted at any time during the entitlement process; however, permits cannot be issued until applicable approvals (Planning, Site Development, etc...) have been received. (Building/BR)
46. A separate plumbing permit is required for installation of private on-site utilities (i.e., sanitary sewer, storm sewer, water service, catch basins, etc. If the applicant desires to install those types of private utilities during the same period as the "Site Development" work, a separate plumbing application must be submitted to the Building Services Division for approval. (Building/BR)
47. Any businesses related to food preparation are required to have a grease trap/interceptor. The type and size are determined by the State Plumbing Code. Please contact the Fats/Oil/Grease (FOG) specialist for maintenance requirements (503) 526-3701. (Building/BR)
48. The proposed building(s) shall be accessible to persons with disabilities. (Chapter 11, OSSC) (Building/BR)
49. An accessible route shall be provided to persons with disabilities throughout the site. (Section 1103, OSSC) (Building/BR)
50. An accessible route shall be provided to persons with disabilities from the building to a public way. (Section 1103, OSSC) (Building/BR)

51. Work with staff to increase the articulation of the northern elevation of the anchor tenant building.

D. Prior to final inspection of any building permit, the applicant shall:

- 52. Install or replace, to City specifications, all sidewalks, curb ramps and driveway aprons which are missing, damaged, deteriorated, or removed by construction along the house frontage. (Site Development Div./JJD)
- 53. Resolve design and/or conflicts with refuse disposal/recycling hauler that would preclude adequate service of refuse and recycling containers for all units of the development. (Planning Division/JF)
- 54. Ensure all site improvements, including grading and landscaping are completed in accordance with plans marked "Exhibit A", except as modified by the decision making authority in conditions of approval. (On file at City Hall). No occupancy permit (including temporary occupancy) will be issued until all improvements are complete. (Planning Div./JF)
- 55. Ensure construction of all buildings, walls, fences and other structures are completed in accordance with the elevations and plans marked "Exhibit A", except as modified by the decision making authority in conditions of approval. (On file at City Hall). No occupancy permit (including temporary occupancy) will be issued until all improvements are complete. (Planning Div./JF)
- 56. Ensure all landscaping approved by the decision making authority is installed. (Planning Div./JF)
- 57. Ensure all landscape areas are served by an underground landscape irrigation system. For approved xeriscape (drought-tolerant) landscape designs and for the installation of native or riparian plantings, underground irrigation is not required provided that temporary above-ground irrigation is provided for the establishment period. (Planning Div./JF)
- 58. Ensure that the planting of all approved deciduous trees, except for street trees or vegetation approved in the public right-of-way, has occurred. Deciduous trees shall have straight trunks and be fully branched, with a minimum caliper of 1-1/4 inches and a minimum height of 8 feet at the time of planting, except that dwarf and compact varieties may be may be approved at any size. Deciduous trees may be supplied bare root provided the roots are protected against damage. Each tree is to be adequately staked. (Planning Div./JF)
- 59. All mechanical units, roof of ground mounted, must be screened from view of public streets and adjacent properties. (Planning Div./JF)

E. Prior to release of performance security, the applicant shall:

- 60. Have completed the site development improvements as determined by the

City Engineer and met all outstanding conditions of approval as determined by the City Engineer and Planning Director. Additionally, the applicant and professional(s) of record shall have met all obligations under the City Standard Agreement to Construct Improvements and Retain Design Professional Registered in Oregon, as determined by the City Engineer. (Site Development Div./JJD)

61. Submit any required on-site easements not already dedicated on the subdivision plat, executed and ready for recording, to the City after approval by the City Engineer for area encumbered and City Attorney as to form. The applicant's engineer or surveyor shall verify all pre-existing and proposed easements are of sufficient width to meet City standards. (Site Development Div./JJD)
62. Submit plans and execute right of way dedication for the NW Cedar Falls Drive travel lanes (between 24' and 36'); and execute a public access easement for the parking and sidewalk area between the NW Cedar Falls Drive travel lanes and buildings C, D, E, and F. (Transportation/LP)

CARRIED by the following vote:

AYES: Doukas, Stephens, Maks, Nye, Winter, and Overhage.
NAYS: None.
ABSTAIN: None.
ABSENT: Kiene.

Dated this 16th day of May, 2013.

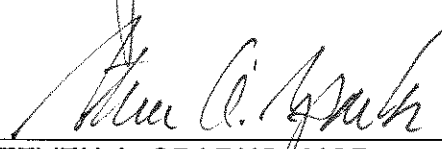
To appeal the decision of the Planning Commission, as articulated in Land Use Order No. 2318 an appeal must be filed on an Appeal form provided by the Director at the City of Beaverton Community Development Department's office by no later than 5:00 p.m. on Monday, May 27, 2013.

PLANNING COMMISSION
FOR BEAVERTON, OREGON:

ATTEST:




JANA FOX
Associate Planner



STEVEN A. SPARKS/AICP
Planning Division Manager

APPROVED:



KIM OVERHAGE
Chair